

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

)
Melissa A. McIntyre,) Court File No. 17-cv-05134 (JRT-DTS)
)
Plaintiff,) **SUPPLEMENTAL AFFIDAVIT OF**
vs.) **WILLIAM D. HITTNER**
)
Reliance Standard Life Insurance)
Company,)
Defendant.)
)

)

STATE OF MINNESOTA)
):ss.
COUNTY OF HENNEPIN)

William D. Hittner, being duly sworn on oath, says:

1. This Affidavit is submitted in supplementation of my original Affidavit filed in support of Reliance Standard's Motion for Summary Judgment on October 1, 2018, at Docket No. 19.
2. Attached as Exhibit 27 is a true and correct copy of a screen shot of the internal Reliance Standard record identifying the records sent to the company's outside medical review vendor, MLS National Medical Evaluation Services, which were then provided to Dr. Bushara for his review. (RSL001591-94). This document was received by the undersigned counsel on October 31, 2018 and produced to M. MacKinnon, counsel for Plaintiff Melissa McIntyre, on that same day.
3. Attached as Exhibit 28 is a true and correct copy of the documents identified on RSL001593, identified as "Attorney Request – Appeal Review Letter.

(RSL001595-1618) This document was received by the undersigned counsel on October 31, 2018 and produced to counsel for Plaintiff Melissa McIntyre on that same day.

4. On October 30, 2018, the undersigned counsel received an electronic link to the surveillance videotape referred to in the July 1, 2015 Marshall Investigative Group, identified in Reliance Standard's Memorandum of Law, Docket No. 18, at 10. (Hittler Affidavit, Docket No. 19, Exhibit 13). The links to the videos was provided to Ms. MacKinnon that same date and are copied below:

<https://www.dropbox.com/s/n17yoqub3gae34n/McIntyre%2C%20Melissa%20-10%2C24%2C25-2015.mpg?dl=0>

<https://www.dropbox.com/s/p0x8tbhfrcaye4v/McIntyre%2C%20Melissa%20Covert%20part%201%206-24-15.avi?dl=0>

<https://www.dropbox.com/s/yr221imshpe5mn4/McIntyre%2C%20Melissa%20Covert%20Part%202%206-24-15.avi?dl=0>

5. The undersigned expects to receive a copy of the DVD shortly from Reliance Standard and has agreed to provide a copy to the Court and to Ms. MacKinnon upon receipt.

6. The documents and surveillance video referenced above have been disclosed to Ms. MacKinnon in a supplemental Rule 26(a) disclosure, which was served upon her on November 5, 2018.

FURTHER YOUR AFFIANT SAYETH NOT.

/s/ William D. Hittler
William D. Hittler

Subscribed and sworn to before me
this 5th day of November 2018.

/s/ Deborah Bunnell
Notary Public